

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

FILED
IN CLERKS OFFICE

2004 JUN 21 P 4:46

CYCLE-CRAFT CO., INC. d/b/a
BOSTON HARLEY-DAVIDSON/BUELL
Plaintiff,

v.

HARLEY-DAVIDSON MOTOR CO., INC.
and BUELL DISTRIBUTION CO., LLC
Defendants.

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U.S. DISTRICT COURT
DISTRICT OF MASS.

Civil Action No. 04-11402-NMG

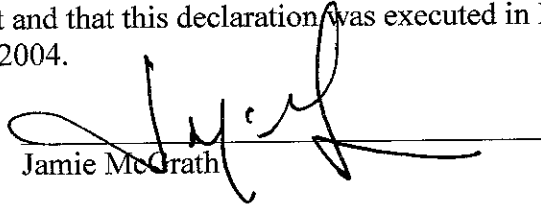
DECLARATION OF JAMIE MCGRATH

I, JAMIE MCGRATH, being duly sworn, do hereby depose and state as follows:

1. I am over the age of 18 years and have personal knowledge of the facts stated in this affidavit. I am the finance manager for plaintiff Cycle-Craft Co., Inc. d/b/a Boston Harley-Davidson/Buell ("Cycle-Craft").
2. As finance manager, I am responsible for reviewing the paperwork for every sale made by Cycle-Craft. I review sale paperwork to make sure that it contains all of the necessary documents with respect to the title and financing.
3. In July, 2003, Sean Walsh, who was then a sales person for Cycle-Craft, informed me that he was selling 19 motorcycles to individuals who lived in Florida. He said that the 19 individuals buying the motorcycles were dealing with him through a contact person.
4. At the time, I did not consider Mr. Walsh's information to be unusual in any way. Sometimes customers come to Cycle-Craft and buy three to five motorcycles at a time, with or on behalf of friends or acquaintances, and it is not particularly unusual for a single individual to represent a number of buyers.

5. I reviewed the sales folders for each of these sales. The paperwork in those folders – bills of sale, titles and checks – indicate that each of these transactions was an individual retail sale. I approved the sales on that basis.

I declare under penalty of perjury under the laws of the Commonwealth of Massachusetts that the foregoing is true and correct and that this declaration was executed in Everett, Massachusetts on June 21, 2004.


Jamie McGrath